



Commonwealth of Massachusetts

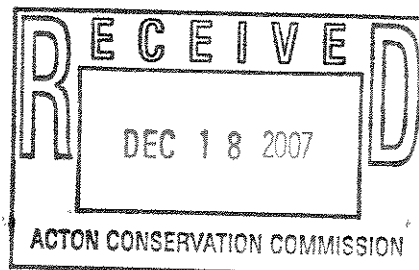
Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

December 14, 2007

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Acton Water District
c/o Christopher Allen
693 Massachusetts Avenue
P.O. Box 953
Acton, MA 01720



RE: Project Location: 960 & 941 Main Street / Route 27
Project Description: Construction of new water plant, installation of water lines, and all other associated activities
DEP Wetlands File No.: 085-0981
NHESP File No.: 07-22245

To whom it may concern:

The Natural Heritage & Endangered Species Program (NHESP) received additional information on the above project for compliance with the rare wildlife species sections of the Massachusetts Wetlands Protection Act (WPA) Regulations (310 CMR 10.59) and the MA Endangered Species Act Regulations (321 CMR 10.18). The additional information included a habitat assessment prepared by Caron Environmental Consulting (dated October 2007), a Blanding's Turtle Nesting Habitat Management Plan with a Blanding' Turtle Management Area Layout (dated December 2007; attached), and site plans (attached).

Based on a review of the information that was provided and the information that is currently contained in our database, the NHESP has determined that this project, as currently proposed, will not adversely affect the actual Resource Area Habitat of state-protected rare wildlife species (310 CMR 10.59) and will not result in a prohibited "take" of state-listed rare species (321 CMR 10.18) provided that the proposed Blanding's Turtle Nesting Habitat Management Plan is implemented.

Therefore, the project will meet the rare species requirements of the WPA and its implementing regulations for the issuance of Orders of Conditions approving the project with regards to rare species. A copy of the final Order of Conditions along with revised site plans showing the above-mentioned changes shall be sent to the NHESP simultaneously with the applicant as stated in the Procedures section of the WPA (310 CMR 10.05(6)(e)). Please note that this determination addresses only the matter of state-listed wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

This evaluation is based on the most recent information available in the Natural Heritage database, which is constantly being expanded and updated through ongoing research and inventory. Should your site plans change, or new rare species information become available, this evaluation may be reconsidered. If you have any questions

www.masswildlife.org

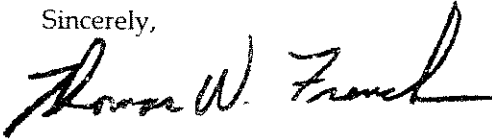
Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7891

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

about this letter, please contact Eve Schlüter, Ph.D., Endangered Species Review Biologist at (508) 389-6346 (eve.schluter@state.ma.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. French". The signature is fluid and cursive, with the first name "Thomas" and last name "French" clearly legible, and "W." in the middle.

Thomas W. French, Ph.D.
Assistant Director

cc: Charles Caron, Caron Environmental Consulting - Representative
DEP Central Region, Wetlands Program

BLANDING'S TURTLE

NESTING HABITAT

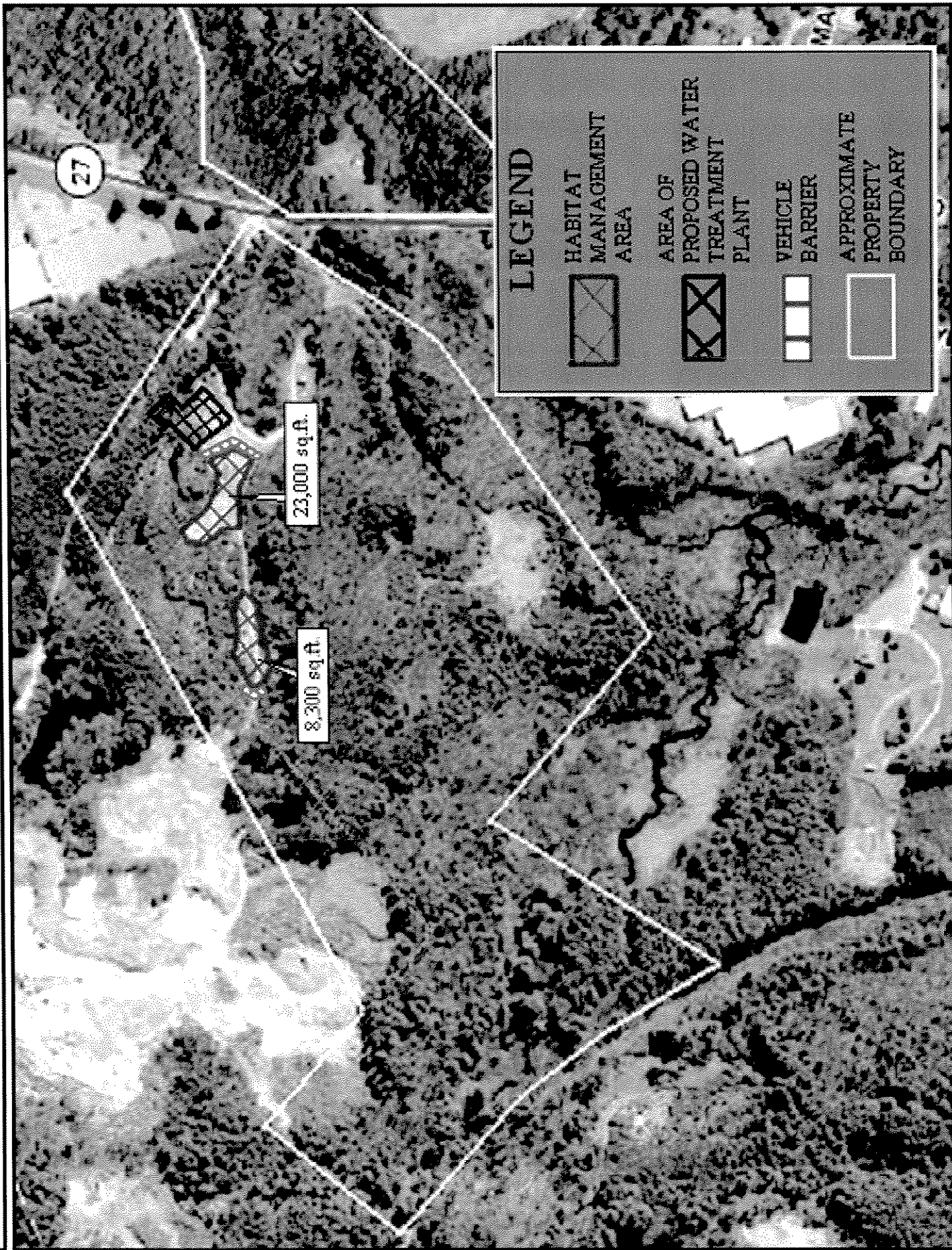
MANAGEMENT PLAN

ACTON WATER DISTRICT

KENNEDY WELL PROPERTY

DECEMBER 2007

BLANDING'S TURTLE MANAGEMENT AREA LAYOUT



[illegible]

PLAN
SCALE: 1"=40'

